

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BITUMINOUS CASUALTY CORPORATION,)	
)	
Plaintiff,)	
)	
vs.)	
)	4:06CV3128
AARON FERER AND SONS COMPANY;)	
THE UNITED STATES ENVIRONMENTAL)	SCHEDULING ORDER
PROTECTION AGENCY/JAMES B.)	
GULLIFORD, REGION 7 ADMINISTRATOR;)	
and UNION PACIFIC RAILROAD)	
COMPANY,)	
)	
Defendants.)	

This matter is before the magistrate judge for full pretrial supervision. The case was filed in Lincoln and was placed on the Lincoln docket. In its Answer [17] defendant Aaron Ferer & Sons Co. (AFSCO) designated Omaha, Nebraska as the place for trial.

Pursuant to NECivR 40.1(b), the defendant's request must be accompanied by a supporting affidavit. The court will then resolve the conflicting requests without oral argument, based on the convenience of the litigants, witnesses, and counsel. NECivR 40.1(b)(2).

IT IS ORDERED:

1. Defendant AFSCO is given until and including **September 15, 2006** to file an affidavit in support of its request for trial in Omaha.
2. All other parties are given until and including **October 5, 2006** to respond to AFSCO's request for trial in Omaha.

DATED August 28, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge